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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,442	04/12/2004	William M. Randle	3994893-139698.2	4808

7590 07/10/2008  
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EXAMINER
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ELISCA, PIERRE E

ART UNIT	PAPER NUMBER
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3621

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07/10/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/823,442	<b>Applicant(s)</b> RANDLE ET AL.	
	<b>Examiner</b> Pierre E. Elisca	<b>Art Unit</b> 3621	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 July 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 199, 200, 202-204, 206, 208 and 213-218 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 199, 200, 202-204, 206, 208, and 213-218 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This communication is in response to Applicant's RCE filed on 07/17/2007.
2. Claims 199, 200, 202-204, 206, 208, and 213-218 are currently pending.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 199, 200, 202-204, 206, 208, and 213-218 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellinger et al. (U.S. Patent No. 5,870,725) in view of Wiseman, James W. (U.S. Pat. No. 5,168,446).

As per claims 199 and 218, Bellinger et al substantially discloses a check processing system comprising a capture station including an imaging device adapted to capture an electronic image or images of a check and, if any, indicia associated with presentation of the check wherein the check has at least one information field containing transaction data; means for recognizing the at least one transaction data field within the image captured; wherein the capture station further includes: 1) means for extracting transaction data from the image or images captured into at least one data file; 2) means for providing a security marker to each of the extracted data and the image or images to uniquely associated the extracted data and the image or images with each

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other and with the check and any indicia associated with presentation of the check: 3) means for digitally signing the image or images captured and at least one data file with a unique identifier associated with the capture station and a data storage means interconnected with the Imaging device adapted to receive and store the image or images captured, and the at least one data file, an agent server interconnected with the capture station and adapted to: 1) receive from the capture station the image or images captured and the at least one data file and digitally sign the image or images captured and at least one data file with a unique identifier associated with the agent server; 2) store the image or captured, and the at least one data file; and 3) to electronically transmit at least one of the image or images captured and the at least one data file to a central server for validation a central server interconnected with a network and with the agent server, the central server, including means to receive, upon transmission from the agent server, either the image or images captured, or the at least one data file or both.; 2) to validate at least one of the digital signature of the capture station or the digital signature of the agent server; 3) to timestamp the image or images captured and at least one data file received or both; 4) to identify a target within the network for transmission of the image or images captured or the at least one data file or both for the performance of a service by the network target with respect to the check captured; and 5) to transmit at least one of the image or images captured and at least one data file to the target for the performance of the service; wherein the extracted data and the image or images can be matched in accordance with the security marker and associated with each other and with the check and any indicia associated with presentation of the check

and recombined with each other at any step in the processing sequence of the check such that the security marker Insures that the data and image or images have not been tampered with between transmission endpoints (*see figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

It is to be noted that Bellinger fails to disclose Applicant's newly added limitation wherein said a central network administrator supervising the network, the administrator granting restricted enterprise rights and privileges in the form of granted services and activities permitted only to the first bank, the second bank, and designated participants in the network on behalf of the first bank and the second bank as determined by the rights and privileges granted by the administrator. However, Wiseman discloses a central data administrator (CDA) for supervising bank transactions (*see., Wiseman col 6, lines 40-51, col 8-col 16*). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teaching of Bellinger by including the limitations detailed above as taught by Wiseman because this would maintain network secure operability on all the banks connected to the network.

As per claim 200, Bellinger et al teach a check processing system wherein the image or images captured or at least one data file is transmitted to the central server at 1) one of the time of receipt from the capture station 2) a scheduled time other than the time of capture (*see figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

As per claim 202, Bellinger et al teach a check processing system wherein the transaction data one or more of Information contained within a MICR line of the check, an identification of a check payee and a check amount (*see figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

As per claim 203, Bellinger et al teach a check processing system wherein the image captured associated with a transaction is transmitted to the tablet at a time that does not coincide with a time of transmission of an associated at least one data file associated with the transaction to the central server, and the at least one data file and the corresponding image or images captured and the data file are re-associated with each other either at the central server or the agent upon the completion of receipt of both the image or images and the data file at either the central server or the agent (*see figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

As per claim 204, Bellinger et al teach a check processing system further comprising a capture quality control processor for comparing a pre-capture quality control value with a postcapture quality control value and for accepting a corresponding image or images captured or at least one data file for further processing only if the pre-capture value and the post capture value meet predefined quality control criteria (*see figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

As per claim 206, 216 and 217, Bellinger et al teach a check processing system further comprising an administration services controller interconnected with the capture station, agent server, central server and network target that limits access to at least one of the capture station, agent server, central server and network target in accordance with predetermined at, teas criteria baaed upon characteristics of at least one service function requested to be performed by the at least one of the capture station, agent server, central server, and network (see *figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

As per claim 208, Bellinger et al teach a check processing system wherein the transmission of the image or images captured or at least one data file from the central server to the network target is in accordance with at least one of a real time or batch processing schedule associated with the submission of items into a clearing house (see *figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

As per claim 213, Bellinger et al teach a check processing system wherein the validation provides an approved or not approved signal transmitted to the capture station, representing the allowance or denial of further processing of the transaction, and upon successful validation, the central server stores the image or images file, the transaction data file and the unique association between the files in a central database, stamps each file with a synchronized timestamp, end transmits a success message to the capture station and the locally stored image or images file and the transaction file

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and the unique association between them is marked with a synchronized timestamp  
(see *figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

As per claim 214, Bellinger et al teach a check processing system including a non-validation override based on predetermined criteria maintained at the central server, wherein, upon the event of an unsuccessful validation, the capture station transmits a code for receipt by the central server requesting permission to override the unsuccessful validation, whereby upon recognition of the code as an authorized override request, the central server searches for a match of the request code in a data base of predetermined criteria, and upon verifying a match, approves the transaction without validation and the transaction is transmitted in the network for subsequent processing to a predetermined endpoint (see *figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

As per claim 215, Bellinger et al teach a check processing system adapted for check processing wherein if a predetermined endpoint is not provided in the data base associated with the code request for an override, the check presented at the capture stations routed for exception processing (see *figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

### **Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre E. Elisca whose telephone number is 571 272 6706. The examiner can normally be reached on 6:30 to 5:00. Patent hotelier.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on 571 272 6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ Pierre E. Elisca/  
Primary Examiner, Art Unit 3621